

3

SROUFE, PAYNE, LUNDEEN & D'AMBROSIO, L.L.P.

Attorneys at Law

1700 WEST LOOP SOUTH, SUITE 1230

HOUSTON, TEXAS 77027-3008

See for \$



ALTON W. PAYNE, Ph.D.*
DANIEL N. LUNDEEN*
JO KATHERINE D'AMBROSIO
MARK R. WISNER

January 29, 1999

INTELLECTUAL PROPERTY LAW

TELEPHONE (713) 840-8008
TELEFAX (713) 840-8088

DELMAR L. SROUFE*
MALCOLM H. SKOLNICK, Ph.D., J.D.
OF COUNSEL

E-MAIL: mwisner@wt.net

File No. INGA,004

*A PROFESSIONAL CORPORATION

ATTN: BOX MISSING PARTS
Commissioner of Patents and Trademarks
Washington, DC 20231

Re: Application of: Charles A. Conrad
Serial No.: 09/169,793
Filed: October 9, 1998
For: **PRODUCTION OF ssDNA IN VIVO**

Dear Sir:

Enclosed for filing in connection with the captioned application is/are the following:

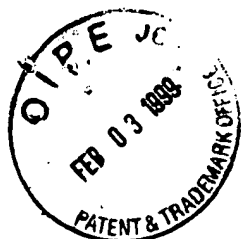
- Response to Notice to File Missing Parts;
- Request for Extension of Time (1 month);
- Declaration executed by the inventor, Charles A. Conrad;
- Verified Statement (Declaration) Claiming Small Entity Status 37 C.F.R. §§1.9(f) and 1.27(b) Independent Inventor – Charles A. Conrad;
- Verified Statement (Declaration) Claiming Small Entity Status 37 C.F.R. §§1.9(f) and 1.27(c) Small Business Concern – Ingene, Inc.; and
- Verified Statement (Declaration) Claiming Small Entity Status 37 C.F.R. §§1.9(f) and 1.27(c) Small Business Concern – Cryogenic Solutions, Inc.

Also enclosed are our firm's checks no. 616 in the amount of \$55.00 to cover the fee for a one-month request for extension of time, and no. 615 in the amount of \$65.00 to cover the fee for late filing of the Declaration for a small entity. The Commissioner of Patents is hereby authorized to draw on the Deposit Account of Sroufe, Payne & Lundeen, L.L.P., Account No. 19-3884 (INGA,004), if there are fees associated with this filing and/or if any required fees enclosed are insufficient, the check is unsigned, or if fees are inadvertently not enclosed. Please return the enclosed self-addressed, postage-prepaid postcard evidencing receipt of the above documents.

Respectfully submitted,

Mark R. Wisner
Attorney for Applicant
Registration No. 30,603

MRW/lm
Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Charles A. Conrad
Serial No.: 09/169,793
Filed: October 9, 1998
For: **PRODUCTION OF ssDNA *IN VIVO***

§
§
§
§
§
§
§
§
§

Atty. Docket No.: INGA,004
Examiner: Unknown
Group Art Unit: 1646

COMMISSIONER OF PATENTS
AND TRADEMARKS
WASHINGTON, D.C. 20231

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date indicated below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patent and Trademarks, Washington, D.C. 20231.

Mark R. Wisner, Registration No. 30,603

January 29, 1999

Date

RESPONSE TO NOTICE TO FILE MISSING PARTS

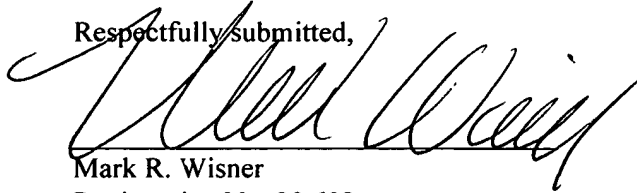
Applicant responds to the Notice of Missing Parts (Form PTO-1533) mailed in the captioned application on October 29, 1998 in timely fashion as follows. A request for a one month extension of the time to respond to that Notice, and a check for the applicable fee, is enclosed. Also enclosed is a check in the amount of the fee required for late filing of the missing parts (37 C.F.R. 1.16(e)). In the event the check in the amount of any necessary fees was not properly executed, was not included with this Response and/or was insufficient in amount, or for any other reason this Response is not considered timely filed, request is hereby made for an extension of the time for the period necessary to ensure consideration of this Response and the Commissioner is authorized to charge Deposit Account No. 19-3884 (INGA,004) in the amount of any necessary fee.

Enclosed for filing in the captioned application is/are the following document(s):

- ☒ Declaration signed by inventor(s);
- ☒ Verified Statement of Small Entity Status (Independent Inventor) of Charles A. Conrad;
- ☒ Verified Statement of Small Entity Status (Small Business Concern) of Ingene, Inc.; and
- ☒ Verified Statement of Small Entity Status (Small Business Concern) of Cryogenic Solutions, Inc.

In the event there are questions, please contact the undersigned attorney for Applicant(s) at the address and telephone number set out below.

Respectfully submitted,



Mark R. Wisner

Registration No. 30,603

Payne, Lundeen, D'Ambrosio & Arismendi, L.L.P.

1700 West Loop South, Suite 1230

Houston, TX 77027-3008

(713) 840-8008

Fax: (713) 840-8088

ATTORNEY FOR APPLICANT

Date: January 29, 1999



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/169,793	10/09/98	CONRAD	C INGA.004

MARK R WISNER
PAYNE LUNDEEN & AMBROSIO & ARISMENDI
1700 WEST LOOP SOUTH
SUITE 1230
HOUSTON TX 77027-3008

0242/1029

NOT ASSIGNED

1646

DATE MAILED: 10/29/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☐ non-small entity is \$ 130

- ☐ 1. The statutory basic filing fee is:
☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

☒ is missing or unexecuted.

☐ does not cover the newly submitted items.

☐ does not identify the application to which it applies.

☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.29.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☒ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2: COPY TO BE RETURNED WITH RESPONSE

FORM PTO-1533 (REV 9-97)

BEST AVAILABLE COPY

02/09/1999 INTELLI 00000056 0989793 65.00 01 FC:205